



CRL OP(MD)No.15854 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 31.08.2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD)No.15854 of 2023

Ranjith

... Petitioner / Accused No.1

Vs

State represented by
The Inspector of Police,
Perungudi Police Station,
Madurai District.
(In Crime No.117 of 2023)

... Respondent / Complainant

For Petitioner : Mr.S.Manoj Kumar, Advocate
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.117 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 IPC in Crime No.117 of 2023 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that on 23.07.2023, the accused persons had stolen the goat of the defacto complainant. Hence, the case.

3.The learned counsel for the petitioner would contend that the petitioner is an innocent person and he has been falsely implicated in this case and co-accused in this case was arrested and thereafter, released on bail. Hence, he prayed for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner herein arrayed as A1 in this case and already A2 was arrested and goat was also recovered from him and subsequently, he released on bail.

5.Heard both side and perused the materials available on record.

6.Considering the rival submissions on either side and considering the fact that the the co-accused arrested and released on bail and also considering the fact that the stolen goat was recovered from the co-accused, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Thirumangalam on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the



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learned Magistrate concerned and on further condition that:

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[a] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
31/08/2023

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/09/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS



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To

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1.The Judicial Magistrate,
Thirumangalam.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Perungudi Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.15854 of 2023

Date :31/08/2023

ED/VR/SAR- (11/09/2023) 4P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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